

Appln. No.: 09/927,963  
Amdt. Dated February 27, 2007  
Reply to Office Action dated November 27, 2006.

### **REMARKS**

Claims 1-2 and 4-10 are currently pending in the application. Claims 3 and 11-21 have been cancelled. Claims 1 and 2 have been amended to expressly recite specific method steps that are performed by the carrier. The instant claim changes reflect subject matter that was inherently in the original claims as all of the steps of the original claims are performed in the carrier distribution system. However, for the avoidance of doubt, the instant amendment to the claims is being submitted.

Claims 6, 16, and 21 have been rejected under 35 U.S.C. 112, second paragraph for being indefinite. Claims 16 and 21 have been cancelled. The rejection of claim 6 is respectfully traversed for the reasons set forth below.

The Examiner has taken the position that the recitation "the carrier obtaining the address from the unique sender generated identifier and supplying to the address information about the location of the mail item" is unclear. Applicants submit that this language is completely consistent with the description set forth in the specification.

By way of example, and not limitation, the Examiner is directed to the electronic address and identifier mark (EAIM 13) which is a unique identifier of a sender that includes an electronic address(for example, email address) of a sender combined with a unique number (Paragraph 0014 of the specification). As the mail item is processed through the carrier distribution system of Figure 2 the EAIM 13 is read by the Advanced Facer/Canceler 23 (AFC) to obtain the email address of the sender (Paragraph 0023). Once the carrier distribution system has the email address it can send confirmation information or track and trace mail item location information to that email address (see paragraphs 0006, 0023, 0024, and 0027 sub-paragraph 5). It is submitted that claim 6 clearly recites that location information about the mail item being processed through the carrier distribution system is sent to an address obtained from the unique sender generated identifier (for example EAIM 13).

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Accordingly, it is submitted that claim 6 particularly points out and distinctly claims subject matter which the Applicants regard as their invention and which is fully supported by the specification.

Prior to discussing the rejections of record, a brief explanation of the invention and its advantages over the prior art is considered warranted. The instant summary of the invention is being given by way of example and is not intended to limit the scope of the claims in any manner. By way of background, the instant inventors observed that in many private and postal carrier distribution systems, a number of issues arise with respect to the ability of the sender of an item to track the item within the carrier's system. For example, since carriers typically track the item using a unique carrier assigned number that is applied by the carrier to the item, the sender must have some type of upfront communication with the carrier to obtain the unique carrier assigned number to permit inquiries from the sender to the carrier as to the tracking status of the item. Thus, the sender must either 1) physically bring the item to the carrier in order to receive the carrier's unique assigned tracking number, which may take a great deal of time, or 2) obtain such unique numbers from the carrier via some type of electronic communication such as the internet. However, while the online system helps minimize the time problem associated with physically bringing the mailpiece to the carrier, it creates another problem for the carrier in that the carrier cannot be sure that the unique carrier generated number was properly affixed to a specific item by the sender.

The instant inventors solved the above problem by using two unique identifiers: one **(13) (paragraph 0014, Fig. 1)** created by the sender and the other **(41) (paragraph 0019, Fig. 3)** created by the carrier. A user generates the unique sender identifier **(13)** during the creation of the mailpiece and submits it into the carrier distribution system, together with the item (i.e. mailpiece) **without knowing anything else about the internal workings of the carrier's tracking system (21) (Paragraph 0019, Fig. 4 step 42, Fig. 2) (inducting step of claim 1)**. The carrier

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obtains knowledge of the sender's unique identifier (13) by reading it off of the mailpiece (**Fig 4 step 43 and paragraph 0019**) (**obtaining step of claim 1**) and then associates the sender's unique identifier with the unique identifier (41) created by the carrier that the carrier uses to track the item (**Paragraph 0019**) (**associating and tracking steps of claim 1**). Thus, when a sender wishes to check on the tracking status of their item, they only need to provide the sender's unique identifier to the carrier and they don't need to know anything about the carrier's unique identifier (**Paragraph 0024**) (**allowing step of claim 1**). The carrier, via the created association between the sender's unique identifier and the carrier's unique identifier, can identify the mailpiece and report the tracking status back to the sender. This system allows for a sender to, for example, drop a mailpiece into a carrier's drop box with a sender's unique identifier located thereon and still be able to track the mailpiece without receiving any unique identifier tracking information from the carrier (**Paragraph 0024**). What is important here is that the sender is only required to assign its own unique identifier to the mail item. Everything else is done within the carrier distribution system by the carrier. The result of this claimed invention is that both the problems of requiring a sender to have knowledge of the carrier's unique identifier for the mailpiece and the need to prevent improperly assigning a carrier's unique identifier to the wrong mailpiece are overcome.

Claims 1-7, 9-11, 16-17, and 19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Wheeler (US2002/0032623 A1). Claims 3 and 11-21 have been cancelled. Further, Applicants respectfully traverse the Examiner's position with respect to claims 1-2, 4-7 and 9-10 for the reasons set forth below.

Wheeler is directed to a method and apparatus that tracks a mail item within a single company's or organization's interoffice mail system. In this system a user 100 generates a mail item 250 and uses the interoffice system 10 to track the

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mailpiece using a unique tag 255 (comprised of ID 262 and bar code 264). The user (sender) creates the unique tag 255 and applies it to the mail item 250.

Wheeler at paragraphs 0012 and 0080 describes **how the user/user organization can create a unique carrier generated tag and apply the unique carrier generated tag to the mail item 250**. The mail item 250 would then be inducted into the carrier distribution system and the carrier would use the unique carrier generated tag to track the mail item 250 during its processing through the carrier distribution system. There is no discussion of the sender organization providing the carrier with the unique user generated tag or the carrier reading or using such user generated unique ID tag to permit an inquiry from the sender for tracking information to be answered by the carrier simply based on providing to the carrier the user generated tag. The carrier system of Wheeler is simply the conventional system whereby the user must provide the carrier's tracking number to the carrier in order to obtain tracking information for the mail item 250.

Claim 1 specifically recites that 1) the unique sender generated identifier is obtained from the mail item **in the carrier distribution system**, 2) the unique carrier generated identifier **is assigned to a mailpiece in the carrier distribution system**, 3) the unique carrier generated identifier and the unique sender generated identifier are associated with each other **in the carrier distribution system**, and 4) the carrier distribution system **receives the unique sender generated identifier from the sender as part of a request for location information about the mail item without the sender having knowledge of the unique carrier generated identifier and the carrier distribution system provides the location information in response to the request**.

It is submitted that none of the 4 elements set forth in the immediately preceding paragraph are taught or suggested by Wheeler. In Wheeler the sender and carrier ID tags are both generated **by the sender**, assigned to the mailpiece **by**

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**the sender**, and associated with each other **by the sender**. Further, there is no discussion of the carrier reading the sender generated ID tag or using that ID tag for any purpose. Finally, there is no discussion at all in Wheeler that the user generated ID tag can be used to obtain location information about the mailpiece 250 from the carrier or that the carrier can provide location information about the mailpiece 250 to the sender **without the sender knowing the unique carrier generated ID tag**.

Fundamentally, Wheeler requires the sender to know the unique carrier generated ID tag defeating the very purpose of the invention which is to eliminate such requirement. Additionally, since the sender applies the unique carrier identifier to the mailpiece Wheeler teaches the very problem the inventors wanted to overcome which is loss of control of the application of the unique carrier generated identifier to the mailpiece by the carrier.

Finally, the Examiner's position that since both a sender ID tag and a carrier ID tag are shown by Wheeler it would have been obvious to use such ID's as claimed is simply not supported by the Wheeler specification. As discussed above Wheeler actually teaches away from the claimed invention. Applicants submit that the Examiner's only support for saying that Wheeler renders the claimed method steps obvious comes from the Applicants' own specification. Such hindsight use of the Applicants' specification is not proper to establish a prima facie case of obviousness.

In view of the above arguments it is submitted that independent claim 1 is neither anticipated by nor rendered obvious in view of Wheeler. Further, it is submitted that dependent claims 2, and 4-10 are also patentable over Wheeler based on their dependency from claim 1 and the inventive combination they create with claim 1.

With respect to claim 5 it is recited that the unique sender generated identifier is located proximate to the recipient address and **is used to locate the recipient**

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**address.** As discussed at paragraph 0023, starting at line 16, the EAIM 13, which can be in the form of a barcode, can effectively be used to find and parse the address block since a barcode is highly distinguishable from regular text. While Wheeler shows the identifier as being located proximate the recipient address there is no teaching or suggestion of a method step of using such identifier as a way of locating such recipient address.

Claim 6 recites that the unique sender generated identifier includes an address therein (such as the email address embedded in the EAME 13 of the Applicant's specification). Claim 6 also recites that the carrier obtains this address information from the sender identifier and sends location information about the mailpiece to the obtained address. As set forth in claim 7 the address can be one of an email, a page number, or a facsimile machine number. None of paragraphs 0006, 0038, 0008, or 0009 teach or suggest **including in the sender generated identifier** any of the aforementioned addresses or any other address for that matter. Wheeler discusses sending information about a mail item to an email address but doesn't teach or suggest including the address as part of the unique sender generated identifier.

Claims 12-15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Wheeler in view of Official Notice. This rejection has been rendered moot by the cancellation of claims 12-15.

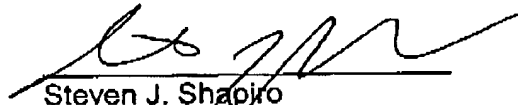
Claims 8 and 18 stand rejected as being unpatentable over Wheeler in view of Petkovsek (6,089,613). Claim 8 depends from claim 1 and is considered patentable for the reasons discussed above regarding claim 1 and because Petkovsek does not correct the deficiencies of Wheeler. Claim 18 has been cancelled.

The outstanding rejection of claims 20-21 has been rendered moot by their cancellation.

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It is submitted that all pending claims are in condition for allowance.  
Reconsideration of the rejections is respectfully requested and an early notice of allowance earnestly solicited. If however, the Examiner has any questions please contact the undersigned Attorney at the number below.

Respectfully submitted,



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